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APPL^.PATS & TMKS APR 19 2006

PAGE 16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
SWITZER, Jeffrey K., et. al.

Appln. No.: 10/660,137  
REIFSNYDER, D.A.

Examiner:

Conf. No.: 6884

Group Art Unit: 1723

Filed: 09/11/2003

Dkt. No.: SWITJ-P01

C/N: 23,653

For: PORTABLE APPARATUS FOR THE MAGNETIC TREATMENT OF FLUIDS

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DECLARATION UNDER 37 C.F.R. § 1.132

Jeffrey K. SWITZER, Applicant, declares as follows:

1. I am the applicant for the above-referenced patent application and I am over 21 years of age.

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2. I am a named inventor in the above-referenced application. Although a named inventor, I was not kept informed of the processing of this application through the Patent and Trademark Office (PTO) and, until approximately February of 10 2006, did not become aware of the Office action of December 14, 2004, or the subsequent abandonment of the application on July 1, 2005, for failure to respond to said Office action.

3. I did not have any copies of documents submitted or

received concerning this patent application.

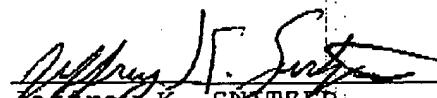
4. When I became aware of the abandonment, I consulted  
counsel and began the process of collecting all documents  
5 relevant to the filing of this application and all official  
documentation relative thereto.

5. I affirm that, had I been aware of an outstanding  
Office action, I would have taken necessary steps to  
10 contemporaneously respond to it.

6. I did not ever intend to abandon this application.

I hereby further declare that all statements made herein of  
my own knowledge are true and that all statements made on  
information and belief are believed to be true; and further that  
these statements were made with the knowledge that willful false  
statements and the like so made are punishable by fine or  
imprisonment, or both under Section 1001 of Title 18 of the  
United States Code and that such willful false statements may  
jeopardize the validity of the application or document or any  
registration or patent resulting therefrom.

Date: 4/16/06

  
Jeffrey K. SWITZER  
Applicant

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